

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL

January 25, 2010

The **Regular Monthly Meeting of Berkeley County Council** was held on Monday, **January 25, 2010**, at 7:42 p.m., in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

PRESENT: Mr. Daniel W. Davis, Supervisor, Chairman; Mr. Caldwell Pinckney, Jr., Council Member District No. 7, Vice Chairman; Mr. Phillip Farley, Council Member District No. 1; Mr. Timothy J. Callanan, Council Member District No. 2; Mr. Robert O. Call, Jr., Council Member District No. 3; Mrs. Cathy S. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mr. Jack H. Schurlock, Council Member District No. 6; Mr. Steve C. Davis, Council Member District No. 8; Mrs. Nicole Scott Ewing, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed.

CALL TO ORDER

Chairman Daniel Davis called the meeting to order.

APPROVAL OF MINUTES

Chairman Daniel Davis asked for approval of minutes from a Special Meeting of Council held December 7, 2009; Public Hearings for Bills Numbered 09-45, 09-46, 09-47, 09-48, 09-49 and 09-52, and a Regular Meeting of Council held December 14, 2009.

It was moved by Council Member Steve Davis and seconded by Council Member Callanan to **approve** the **minutes** as presented. The motion passed by unanimous voice vote of Council.

PUBLIC DISCUSSION – none

EXECUTIVE SESSION – none

CHAIRMAN OF COUNTY COUNCIL

Without objection, it was moved by Council Member Steve Davis and seconded by Council Member Call to **reconsider** an **original motion** made during a meeting of the Committee on Public Works and Purchasing held December 14, 2009 to **deny** a **best value bid** of an **excavator** for the Berkeley County Roads & Bridges Department.

Council Member Steve Davis stated that Council needed to defer, to some degree, to the experts hired by Berkeley County. It would be better to move forward, rather than hampering this entire process.

Council Member Callanan stated that he, personally, believed that the subcommittee meeting of the Committee on Public Works and Purchasing, held January 21, 2010 to be productive. At that time, the subcommittee reviewed the new bidding process and attempted to reach a total life cycle bid. Hopefully, during the next Committee on Public Works and Purchasing Meeting, a report would be available to include total life cycle “hammered out”.

The motion passed by unanimous voice vote of Council.

It was moved by Council Member Steve Davis and seconded by Council Member Call to award the contract for best value bid to Blanchard Machinery, for a total life cycle cost of five years, \$5,000.00, and a cost of \$71,758.00, for an excavator at the Berkeley County Roads & Bridges Department. The motion passed by unanimous voice vote of Council.

THIRD READING

“BILL NO. 09-51, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO A RECLASSIFICATION OF APPROVED USES FOR TMS #181-00-02-055 and #181-00-02-056.”

(Artamus Nichols for Nichols Equipment)

It was moved by Council Member Steve Davis and seconded by Council Member Jack Schurilknight to approve Bill No. 09-51 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 10-01-01 is attached to these minutes.)

Berkeley County Council Rules allow all bills to be given Second Reading by one motion as a collective group. Any member may object to a particular bill, and it shall be separated from the collective group and handled by a separate motion.

SECOND READING

There were no bills for Second Reading.

FIRST READING

There were two bills for First Reading. *(Bills for First Reading are not discussed or voted upon. The bills are read into the record by title only and, thereafter, sent to the proper Committee for further consideration.)*

“BILL NO. 10-01, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO A RECLASSIFICATION OF APPROVED USES FOR TMS #032-00-03-040.”

(South Carolina Public Service Authority)

“BILL NO. 10-02, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, BERKELEY COUNTY, SOUTH CAROLINA, REGARDING PROCUREMENT PROCEDURES FOR BERKELEY COUNTY WATER AND SANITATION.”

RESOLUTIONS

“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2009-2010 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

This proposed resolution was not necessary this night.

“RESOLUTION AUTHORIZING AND APPROVING A DEVELOPMENT PLAN FOR PROPERTY LOCATED AT 1317 OLD HIGHWAY 52, MONCKS CORNER, SOUTH CAROLINA, TMS NUMBER 162-00-02-034, PURSUANT TO SECTION 8.3.5 OF THE BERKELEY COUNTY ZONING ORDINANCE, ORDINANCE NO. 01-08-35, AS AMENDED.”

It was moved by Council Member Schurlknight and seconded by Council Member Call to approve the resolution authorizing and approving a development plan for property located at 1317 Old Highway 52, Moncks Corner, TMS #162-00-02-034. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 10-01 is attached to these minutes.)

“RESOLUTION URGING THE SOUTH CAROLINA GENERAL ASSEMBLY TO AMEND SECTION 48-1-83 OF THE SOUTH CAROLINA CODE OF LAWS.”

Chairman Daniel Davis stated that this resolution was with regard to Berkeley County Water and Sanitation and the point one (.1) rule.

It was moved by Council Member Steve Davis and seconded by Council Member Callanan to approve the resolution urging the South Carolina General Assembly to amend Section 48-1-83 of the South Carolina Code of Laws. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 10-02 is attached to these minutes.)

Without objection, Chairman Daniel Davis adjusted this night’s agenda with regard to the order in which remaining proposed resolutions would be addressed.

“RESOLUTION ACCEPTING A GRANT OF SEVEN MILLION DOLLARS (\$7,000,000) FROM THE SOUTH CAROLINA STATE PORTS AUTHORITY.”

It was moved by Council Member Steve Davis and seconded by Council Member Fish to approve the resolution accepting a grant of \$7,000,000 from the South Carolina State Ports Authority. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 10-03 is attached to these minutes.)

“RESOLUTION AUTHORIZING A GRANT OF TWO MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$2,550,000) TO TBC RETAIL GROUP, INC., AND OTHER MATTERS RELATED THERETO.”

It was moved by Council Member Fish and seconded by Council Member Schurlknight to approve the resolution authorizing a grant of \$2,550,000 to the TBC Retail Group, Inc. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 10-04 is attached to these minutes.)

“RESOLUTION AUTHORIZING A GRANT OF FOUR MILLION ONE HUNDRED SEVENTY-THREE THOUSAND DOLLARS (\$4,173,000) TO TBC RETAIL GROUP, INC., AUTHORIZING THE COUNTY SUPERVISOR TO EXECUTE A GRANT AGREEMENT; AND OTHER MATTERS RELATED THERETO.”

It was moved by Council Member Schurlknight and seconded by Council Member Cathy Davis to approve the resolution authorizing a grant of \$4,173,000 to the TBC Retail Group, Inc., and authorizing the County Supervisor to execute a grant agreement. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 10-05 is attached to these minutes.)

Without objection, Chairman Daniel Davis stated there were two other proposed resolutions that needed to be addressed, but not on the agenda this night, as follows:

“RESOLUTION DESIGNATING SURPLUS PROPERTY OF BERKELEY COUNTY AND AUTHORIZING THE DISPOSAL OF THE SURPLUS PROPERTY.”

It was moved by Council Member Schurlknight and seconded by Council Member Callanan to approve the resolution designating surplus property of Berkeley County and authorizing the disposal of same. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 10-06 is attached to these minutes.)

“RESOLUTION TO APPOINT AND COMMISSION AN ADDITIONAL CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE AND CONVENIENCE OF BERKELEY COUNTY.”

It was moved by Council Member Farley and seconded by Council Member Callanan to approve the resolution to appoint and commission an additional Code Enforcement Officer for the proper security, general welfare and convenience of Berkeley County. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 10-07 is attached to these minutes.)

PROCLAMATION

“PROCLAMATION ESTABLISHING FEBRUARY 8, 2010 AS BOY SCOUTS OF AMERICA CENTENNIAL CELEBRATION DAY IN BERKELEY COUNTY, SOUTH CAROLINA.”

It was moved by Council Member Callahan and seconded by Council Member Schurlknight to **approve the proclamation** establishing February 8, 2010 as **Boy Scouts of America Centennial Celebration Day** in Berkeley County. The motion passed by unanimous voice vote of Council. (A copy of this proclamation is attached to these minutes.)

REPORTS FROM STANDING COMMITTEES

Committee on FINANCE

Council Member, Mr. Jack H. Schurlknight, Chairman

Chairman Schurlknight reported that the Committee on Finance met earlier this night.

a. BCWS Procedures Report

Chairman Schurlknight reported that Mr. Larry Finney, with Green, Finney & Horton, provided the Committee with a report on the Berkeley County Water and Sanitation agreed upon procedures report. This matter will be held in Committee for 30 days.

b. Financial Statement 2008-2009

Chairman Schurlknight reported that Mr. Finney also provided the Committee with the Berkeley County 2008-2009 Audited Financial Statement. No action was required.

c. Proposed Capital Projects

Chairman Schurlknight reported that Ms. Kace Smith, Finance Director, provided the Committee with information in regard to the proposed Capital Projects, General Obligation Bonds, Series 2009-A. No action was taken.

d. Five-Year Capital Improvement Program

Chairman Schurlknight reported that Ms. Smith also provided the Committee with information in regard to the Five-Year Capital Improvement Program. No action was taken.

(That concluded Chairman Schurlknight's report.)

Committee on LAND USE
Council Member, Mr. Phillip Farley, Chairman

Chairman Farley reported that the Committee on Land Use met January 11th. All matters before the Committee were addressed earlier on this night's agenda.

(That concluded Chairman Farley's report.)

Committee on PUBLIC WORKS AND PURCHASING
Council Member, Mr. Robert O. Call, Jr., Chairman

Chairman Call reported that the Committee on Public Works and Purchasing met January 11th and earlier this night.

a. Sole Source Purchase of ALLCIRC for Library

On recommendation of the Committee, Chairman Call moved to award the sole source purchase of two ALLCIRC storage/retrieval and self-check machines for the Berkeley County Library to LAT Corporation, for a total of \$43,545.00, with funds to come from Federal Stimulus Funds; with one (1) machine for the Goose Creek Library and one (1) machine for the Moncks Corner Library. (No second required.)

The motion passed by unanimous voice vote of Council.

b. AD Hare Water System Improvement Engineering Contract

On recommendation of the Committee, Chairman Call moved to award a Professional Services Contract to Engineering Resources Corporation for the AD Hare Water System Improvements, in the amount of \$256,058.00. (No second required.)

The motion passed by unanimous voice vote of Council.

c. US Highway 17-A Water Main Relocation, Phase 2

On recommendation of the Committee, Chairman Call moved to award the contract for the US Highway 17-A Water Main Relocation, Phase 2, to LW, Incorporated, Anderson, South Carolina, in the amount of \$490,871.50. (No second required.)

The motion passed by unanimous voice vote of Council.

d. 2010 Pump Station Modifications, Engineering Contract

On recommendation of the Committee, Chairman Call moved to award the 2010 Pump Station Modifications Engineering Contract to Engineering Resources Corporation, in the amount \$252,320.00. (No second required.)

The motion passed by unanimous voice vote of Council.

e. St. Stephen Gravity Sewer Rehabilitation CDBG, Engineering Contract

On recommendation of the Committee, Chairman Call moved to award the St. Stephen Gravity Rehabilitation Community Development Block Grant Engineering Contract to Jordan, Jones & Goulding, in the amount of \$49,145.00. (No second required.)

The motion passed by unanimous voice vote of Council.

f. 2009 Water System Improvements, Engineering Contract

On recommendation of the Committee, Chairman Call moved to award the 2009 Water System Improvements Engineering Contract to Engineering Resources Corporation, in the amount of \$150,788.00. (No second required.)

The motion passed by unanimous voice vote of Council.

g. Drop-Off Drive Relocation and I-26/Highway 16 Intersection Improvement

On recommendation of the Committee, Chairman Call moved to award the Drop-Off Drive Relocation and I-26/Highway 16 Intersection Improvements to Cooper River Construction, in the amount of \$2,252,750.38, with Cooper River Construction to honor all unit prices. (No second required.)

The motion passed by unanimous voice vote of Council.

In conclusion, Chairman Call reported that the Committee on Public Works and Purchasing held a subcommittee meeting with regard to bids in purchasing. It was a very productive session. The subcommittee would continue to exist for one more month, in order to address any further items that may arise.

(That concluded Chairman Call's report.)

**Committee on JUSTICE AND PUBLIC SAFETY
Council Member, Steve C. Davis, Chairman**

Chairman Steve Davis reported that the Committee on Justice and Public Safety met January 11th.

Honorable Jean Toal, Chief Judge of SC Supreme Court

Statewide Case Management System

Chairman Steve Davis stated he was honored to report that the Honorable Jean Toal, Chief Justice of the South Carolina Supreme Court, presented the Committee with information in regard to the statewide Case Management System. Chief Justice Toal highlighted Berkeley County to be in the forefront, ahead of Charleston County, with regard to this system. In conclusion, Chairman Steve Davis commended Mrs. Mary P. Brown, Clerk of Court, and her staff for the outstanding work they had done in this area. No action was required.

(That concluded Chairman Steve Davis' report.)

Committee on WATER AND SANITATION **Council Member, Mr. Timothy J. Callanan, Chairman**

Chairman Callanan reported that the Committee on Water and Sanitation met January 11th. All matters before the Committee were addressed earlier on this night's agenda.

(That concluded Chairman Callanan's report.)

Committee on PLANNING AND DEVELOPMENT **Council Member, Mrs. Cathy S. Davis, Chairman**

No report.

Committee on COMMUNITY SERVICES **Council Member, Mr. Caldwell Pinckney, Jr., Chairman**

No report

Committee on HUMAN SERVICES **Council Member, Mr. Dennis L. Fish, Chairman**

Chairman Fish reported that the Committee on Human Services met earlier this night. All matters before the Committee were addressed earlier on this night's agenda.

(That concluded Chairman Fish's report.)

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Council Member Farley nominated Ms. Yvette Fischer for appointment to the Berkeley County Library Board, replacing Ms. Karen Garwood.

Council Member Callanan nominated Mr. Walter McKinney and Ms. Candy Nicodin for appointment to the Pimlico Special Tax District Advisory Commission, replacing Mr. Albert Pelletier and Ms. Michelle Farley, respectively.

Council Member Callanan nominated Mr. Robert Moran and Mr. Andrew Bell for appointment to the Accommodations Tax Advisory Commission to fill the “hospitality” seats.

Council Member Fish nominated Mr. Arnold Scharnitzky and Ms. Shefali Desai for appointment to the Accommodations Tax Advisory Commission to fill the “other” seat and “hospitality/lodging” seat, respectively.

Council Member Fish nominated Mr. Darryl Gregory, Mr. Fedrick Bolz, Mr. Henry Green and Mr. Lamar Cook for re-appointment to the Special Fire Tax District Advisory Commission.

Council Member Cathy Davis nominated Mr. Tom Martin for re-appointment to the Sangaree Special Tax District Advisory Commission.

Council Member Cathy Davis nominated Mr. Chris Walker for appointment to the Accommodations Tax Advisory Commission to fill the “hospitality” seat.

Council Member Fish nominated Mr. Oliver W. Buckles for re-appointment to the Accommodations Tax Advisory Commission to fill the “cultural” seat.

Chairman Daniel Davis stated there to be nominations needed to the Trident Workforce Investment Board. Council was provided applications for two individuals to serve on that board, Mr. Edward Southard and Mr. George Thompson.

Council Member Steve Davis stated that he had seen the applications for this board, and the applications had not been completed. Council Member Steve Davis recommended that these appointments be held until the applications had been completed.

Chairman Daniel Davis stated that these applications were not from the Trident Workforce Investment Board, but rather an application form created by the Supervisor’s Office for nominations to boards and commissions.

Council Member Steve Davis stated that he knew that, but the applications had not been completed.

Chairman Daniel Davis responded that applications were not filled out for the other nominations made this night either. Chairman Daniel Davis stated these applications to be examples and asked Council to consider what elements on the application form Council wanted or did not want. The application form was experimental, as the applicants were not required to fill out all the information on the applications for the Trident Workforce Investment Board.

Council Member Steve Davis stated that if the application was going to be used, it should have been completed. Council Member Steve Davis stated that one applicant already served on the Berkeley County Planning Commission, and he questioned if that would be considered a “dual office holding” situation.

Chairman Daniel Davis stated that Council was provided with the application form last month for it to provide feedback for use.

Council Member Pinckney asked if there was a deadline for nominations to the Trident Workforce Investment Board.

Chairman Daniel Davis responded that rules state anyone appointed would continue in that position until he/she was replaced.

Chairman Daniel Davis continued and stated that one of the seats on the Trident Workforce Investment Board would be to fill a position which had been vacant for a couple years. The other position had not been filled at least since Chairman Daniel Davis had taken office.

Council Member Pinckney stated that true representation on the Trident Workforce Development Board had yet to be accomplished. In speaking about the board itself, there was a direct impact with regard to the kind of training dollars Berkeley County would receive to help train its citizens, in order for those citizens to actually take advantage of job opportunities coming to this area (i.e., Boeing and Tire Kingdom). Council Member Pinckney stated there to be funds available for that. Council Member Pinckney stated that he did not have any problem with postponing any nominations to the Trident Workforce Development Board if there was no deadline for nominations.

Council Member Call stated that it appeared to him that both applications had been filled out by the same individual. He questioned if the nominees were even aware that the applications had not been completed. Council Member Call stated that he would want to know if a nominee had a conflict of interest in serving on the board.

Chairman Daniel Davis stated that staff had prepared the application form modeled after another jurisdiction's application.

Mrs. Nicole Ewing, County Attorney, stated that staff was in the process of drafting an application to present to Council for its approval to use for appointments. Mrs. Ewing stated that, to her knowledge, Council had not yet approved the application form or even stated a desire to use any application form at this point.

Chairman Daniel Davis stated that his office filled out the application with information from the nominees to show Council how the process would work. This would allow Council to look at the application and see what things Council would want or not want on it. The application before Council at this time was just a model. The nominees were not asked to fill out the application. Chairman Daniel Davis stated, "This was a helping exercise, I thought. It didn't turn out that way."

It was moved by Council Member Steve Davis to adopt the application form to be used by Council to nominate individuals to boards and commissions.

Council Member Schurlknight recommended that all nominations made this night be held until applications were filled out by the nominees. This would assist in any potential conflicts of interest for all appointments.

Mrs. Ewing stated that the Accommodations Tax Advisory Committee appointments were overdue, and documentation had been received by the state, questioning how these appointments would be addressed. Time was of the essence in filling seats on this committee, as terms of members expired at the end of December 2009. This was brought to Council's attention in December. There would be concern as to how to respond to the state if this matter was not addressed.

Mrs. Ewing continued and stated that one last nominee was still needed to fill a "lodging" seat on the Accommodations Tax Advisory Committee.

Council Member Pinckney nominated Mr. Kevin Davis, owner of Black's Fish Camp, for re-appointment to the Accommodations Tax Advisory Commission.

Council Member Steve Davis amended his original motion to adopt the application form to be used by Council to nominate individuals to boards and commissions, with the exception of nominees chosen this night to fill seats on the Accommodations Tax Advisory Committee.

Chairman Daniel Davis stated that he was not asking for Council to approve the nominee application form this night. Chairman Davis was merely using the applications he submitted with nominees to the Trident Workforce Investment Board this night as an example of the form's use. Chairman Daniel Davis wanted to ask Council to look at the application form and revise it if need be.

Council Member Steve Davis stated that the application form looked great.

Chairman Daniel Davis asked that no action be taken with regard to the application form this night, but rather wait until next month's meeting to do so.

Council Member Call stated that the application form was a great idea. He recommended that Page 2 be dispensed with, and the form be consolidated to fit onto one page, in order to simplify the application process.

Council Member Callanan asked if this matter could be brought up in one of the Committees, in order for him to have time to review the form. Council Member Callanan recommended it be brought up during a Committee Meeting to be held in two weeks.

Council Member Steve Davis withdrew his motion.

Chairman Daniel Davis asked Council if they would just look at the application form and "x" out any information Council Members found to be unnecessary and add anything they felt relevant. This application would be used for all appointments to any boards or commissions. In

conclusion, Daniel Davis recommended input for a general consensus and then presentation of the application to a Committee.

Council Member Steve Davis recommended that nominees to the Trident Workforce Investment Board be deferred until the application process was in place.

Council Member Callanan questioned if the Trident Workforce Investment Board had a meeting scheduled within the next month.

Chairman Daniel Davis responded that there was a meeting scheduled.

Council Member Callanan responded that he was hoping that there was no scheduled meeting.

Council Member Call stated that he felt that the two nominees on the application forms would not be treated fairly if other nominations were approved this night. If their names had not been on the forms, they probably would have been voted upon. Council Member Call recommended that both nominees for the Trident Workforce Investment Board be voted on this night.

Chairman Daniel Davis asked Council Member Steve Davis if he still preferred to defer.

Council Member Steve Davis responded that in this particular instance, one of the individuals (nominees) owned a business, and he was awarded a contract this night for 2.2 million dollars. Council Member Steve Davis questioned if this was the same individual.

Chairman Daniel Davis responded that it was the same individual.

Council Member Steve Davis stated that for transparency reasons with this kind of contract with Berkeley County, it should be more than just “up and down”, without the nominee giving Council the assurance that there was no conflict of interest.

Chairman Daniel Davis stated that the Trident Workforce Investment Board was not a board of the County, but rather a separate entity entirely for which Council had the authority to appoint nominees to.

Council Member Farley asked if this was a state board.

Chairman Daniel Davis responded that it was not a state board. The board was tri-county, operated by Charleston, Berkeley and Dorchester Counties and administered by Charleston County. Each County had a number of appointments that could be made to the board.

Council Member Farley asked if a nominee could serve on two boards at one time.

Mrs. Ewing responded that it would depend upon it being an office of honor and profit. You cannot have dual office holding in two offices of honor and profit.

Mrs. Ewing recommended that all nominations this night be voted upon separately.

Council Member Call nominated Mr. George Thompson and Mr. Edward Southard for appointment to the Trident Workforce Investment Board.

It was moved by Council Member Steve Davis and seconded by Council Member Callanan that each nomination this night be voted upon separately, because the Legal Department had not given an answer with regard to honor and profit in dual appointments. The motion passed by unanimous voice vote of Council.

The nomination of Mr. Kevin Davis for re-appointment to the Accommodations Tax Advisory Commission (“lodging” seat) passed by unanimous voice vote of Council.

The nomination of Mr. Chris Walker for appointment to the Accommodations Tax Advisory Commission (“hospitality” seat) passed by unanimous voice vote of Council.

The nomination of Mr. Robert Moran for appointment to the Accommodations Tax Advisory Commission (“hospitality” seat) passed by unanimous voice vote of Council.

The nomination of Mr. Andrew Bell for appointment to the Accommodations Tax Advisory Commission (“hospitality” seat) passed by unanimous voice vote of Council.

The nomination of Mr. Arnold Scharnitzky for appointment to the Accommodations Tax Advisory Commission (“other” seat) passed by unanimous voice vote of Council.

The nomination of Ms. Shefali Desai for appointment to the Accommodations Tax Advisory Commission (“hospitality/lodging” seat) passed by unanimous voice vote of Council.

The nomination of Mr. Oliver W. Buckles for re-appointment to the Accommodations Tax Advisory Commission (“cultural” seat) passed by unanimous voice vote of Council.

The nomination of Ms. Yvette Fischer for appointment to the Berkeley County Library Board passed by unanimous voice vote of Council.

The nomination of Mr. Tom Martin for re-appointment to the Sangaree Special Tax District Advisory Commission passed by unanimous voice vote of Council.

The nomination of Mr. Walter McKinney for appointment to the Pimlico Special Tax District Advisory Commission passed by unanimous voice vote of Council.

The nomination of Ms. Candy Nicodin for appointment to the Pimlico Special Tax District Advisory Commission passed by unanimous voice vote of Council.

The nomination of Mr. Darryl Gregory for re-appointment to the Special Fire Tax District Advisory Commission passed by unanimous voice vote of Council.

The nomination of Mr. Fredrick Bolz for re-appointment to the Special Fire Tax District Advisory Commission passed by unanimous voice vote of Council.

The nomination of Mr. Henry Green for re-appointment to the Special Fire Tax District Advisory Commission passed by unanimous voice vote of Council.

The nomination of Mr. Larmar Cook for re-appointment to the Special Fire Tax District Advisory Commission passed by unanimous voice vote of Council.

The nomination of Mr. George Thompson for appointment to the Trident Workforce Investment Board passed by majority voice vote of Council. Council Member Steve Davis voted, "Nay."

The nomination of Mr. Edward Southard for appointment to the Trident Workforce Investment Board passed by majority voice vote of Council. Council Member Callanan, Council Member Steve Davis and Council Member Farley voted, "Nay."

CORRESPONDENCE

Council Member Call stated that over the holidays, his mother had passed away. Council Member Call stated how much it meant to him to receive so many expressions of care from others. Council Member Steve Davis had sent him daily e-mail messages; Council Member Pinckney had attended his mom's funeral 275 miles away; and Chairman/Supervisor Daniel Davis had offered the use of his airplane if needed by Council Member Call's family. Mr. Call thanked Berkeley County employees so much for their expressions of care and concern. In conclusion, Council Member Call thanked everyone who sent him cards, e-mails, telephone calls and flowers. The acts of kindness expressed by many individuals sustained Council Member Call during a very difficult time in his life.

UNFINISHED BUSINESS – none

NEW BUSINESS – none

ANNOUNCEMENTS

The **February 2010 Regular Meeting of Berkeley County Council** will be held on **Monday, February 22, 2010**, immediately following Public Hearings and other Committee Meetings at **6:00 p.m.**, in the **Assembly Room** of the **Berkeley County Administration Building**, 1003 Highway 52, Moncks Corner, South Carolina.

ADJOURNMENT

It was moved by Council Member Fish and seconded by Council Member Farley to adjourn the Regular Meeting of Council. The motion passed by unanimous voice vote of Council.

Meeting adjourned at 8:28 p.m., for the execution of documents by Council.

PUBLIC DISCUSSION

Public Discussion commenced at 8:37 p.m.

Mr. Eddie Southard, residing in Berkeley County, addressed Council and stated that he wanted to address some of the concerns Council Member Steve Davis had with his nomination to the Trident Workforce Investment Board. Mr. Southard stated that there was a notice in the legal part of the *Post & Courier* back in August. Berkeley County's name was not in this legal notice anywhere. An individual asked Mr. Southard if he would apply to serve on the Trident Workforce Investment Board. Mr. Southard agreed to serve, as Berkeley County had not been represented very well in the past, and an individual desiring to represent the County was needed. Mr. Southard stated that he was a business owner, and he had to lay off employees over the last year that had families. It was Mr. Southard's desire to do something for the County in helping employment and the unemployed. Mr. Southard stated that he filled out an application and e-mailed it to the Trident Workforce Investment Board. Mr. Southard answered every question on the application, absolutely every question. Mr. Southard never heard a word back from the Trident Workforce Investment Board. In conclusion, Mr. Southard stated that he received a phone call from Chairman Daniel Davis inquiring if he was still willing to serve on this board. Mr. Southard stated that he was still interested in serving. Mr. Southard had forgotten about it, because he had not heard anything from the board. Mr. Southard stated that Chairman Daniel Davis stated that he would recommend Mr. Southard as a nominee for Council's approval at its Regular Council Meeting this night.

Public Discussion concluded at 8:44 p.m.

S/Barbara B. Austin, CCC
Clerk of Council

February 22, 2010
Date Approved